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MEMO ENDORSED

May 16, 2008

BY FAX (212) 805-6712

Hon. Kevin N. Fox
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 540
New York, New York 10007

Re: Martir v. City of New York, et al.
07 Civ. 7922 (LTS)(KNF)

Dear Judge Fox:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendants City of New York ("the City") and New York City Health and Hospitals Corporation ("HHC") in the above-referenced matter. I write to respectfully request an adjournment of the settlement conference in this matter, which currently is scheduled to take place on May 20, 2008.

Plaintiffs Louis Martir, the former Executive Director of Metropolitan Hospital, an HHC facility, and Liliana Martir, his wife, brought this action under Section 1983 alleging that Louis Martir's termination was in retaliation for his having disclosed alleged accounting and bookkeeping improprieties, in violation of his rights under the First Amendment and New York State Law. Fact discovery will not close in this action until September 16, 2008. Due to the demanding, and often conflicting, schedules of counsel for both the plaintiffs and the defendants in this proceeding, the parties still are engaged in the process of completing the initial stages of discovery in this matter. Defendants expect to receive plaintiffs' responses to defendants' first set of discovery requests soon and will only then be able to schedule plaintiffs' depositions. Consequently, counsel for the parties in this action do not have all of the information necessary to engage in meaningful settlement negotiations at this time. Further, plaintiffs have yet to make a formal settlement demand. Should a settlement conference occur at this stage, it likely would not be productive and most certainly would not lead to a resolution of this matter.

It is anticipated that the initial stages of discovery will be complete by mid-July. At that time, the parties feel that they will have sufficient information to engage in meaningful and productive settlement negotiations. Accordingly, with opposing counsel's consent, the undersigned respectfully requests that the settlement conference currently scheduled for May 20, 2008, be adjourned for at least two months. This is defendants' first request for an adjournment of the settlement conference in this proceeding.

Thank you for your attention to this matter.

5/19/08

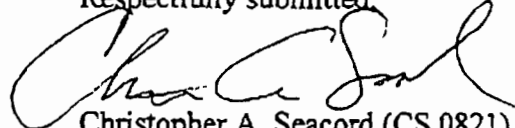
*Application granted.
The settlement conference will
be held on July 29, 2008, at
10:30 a.m.*

SO ORDERED:

Kevin Nathaniel Fox

KEVIN NATHANIEL FOX, U.S.M.J.

Respectfully submitted,



Christopher A. Seacord (CS 0821)
Assistant Corporation Counsel

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